

**Before the
Federal Communications Commission
Washington DC 20054**

In the Matter of)	
)	
Appropriate Framework for Broadband)	CC Docket No. 02-33
Access to the Internet over Wireline Facilities)	
)	
Universal Service Obligations of Broadband)	
Providers)	
)	
Computer III Further Remand Proceedings:)	CC Docket Nos. 95-20, 98-10
Bell Operating Company Provision of)	
Enhanced Services; 1998 Biennial Regulatory)	
Review – Review of Computer III and ONA)	
Safeguards and Requirements)	

COMMENTS OF THE AMERICAN ISP ASSOCIATION

The American ISP Association submits these comments on behalf of its 3400 supporters which include trade associations, independent Internet Service Providers (ISPs), and others who have a common interest in advancing the ability of independent ISPs to deliver information to customers and members. AISPA's members are generally not competitive local exchange carriers but are enhanced service providers of intraLATA information services. As such, they are dependent upon interconnection with incumbent local exchange carriers ("ILEC") to the extent competition has not yet developed for ILEC's products and services.

Summary

We maintain in our comments on this rulemaking, as we have in other FCC proceedings, that the Bell monopolies have successfully locked America's ISPs out of the broadband portion of the nation's public phone networks by a combination of pricing and provisioning discrimination. To a certain extent, the lockout has not been confined to broadband but has occurred on the narrowband portion of the public phone networks as well. This discrimination which was meant to be checked by the FCC regulations contained in the Computer Inquiry, specifically Computer II – regulations that have been

ignored and unenforced by the FCC - has shaped the broadband market that we see today, where the Bells hold a market share in DSL that mirrors their market share in local phone service. It's time for regulators to pay attention to market parity, instead of being so easily diverted and entertained by Bell arguments about regulatory parity.

The reason is clear. The decisions made by regulators are not made in a regulatory vacuum. They have very real consequences for the market. It is not acceptable to opine that if regulatory mistakes are made, they can simply be fixed later on, or that creative destruction is good, when that destruction is fuelled by unchecked monopoly behavior. It's too late already for ISPs who could not withstand the intense and continued discrimination of their monopolist competitor/suppliers, and closed their doors, unheard and unnoticed by the FCC. This is particularly unfortunate when one considers that it was the independent ISP who nurtured the commercial growth of the Internet in this country, and fostered the competitive innovations that make the Internet what it is today. It is doubly unfortunate when the nation's fragile economy demands that innovation and competition be stimulated, not stifled, yet the disappearance of the independent ISP at key intersections of our economic system will clearly have a ripple effect throughout the system that is much deeper than the simple disappearance of an additional path to the Internet. We will therefore, in these comments, briefly describe the independent ISP's geographic position in the broadband DSL network.

The comments of our supporters and their customers provide the best illustration of the value independent ISPs bring to consumers and our economy. Few other products encourage such fierce customer loyalty and support as the service provided by an independent ISP. Consumers are not stupid. They can readily compare the service they receive from a small entrepreneur with the dismal service they receive as captive customers of their local phone monopoly and the equation is not a difficult one for them to calculate. We have attached additional comments of various consumers and ISPs which may have missed the record elsewhere.

Because we are ISPs, not lawyers, we will reserve our comments on the statutory implications of this rulemaking for Reply Comments. Our initial comments will be

restricted to a brief examination of the three topics most relevant to the effect of FCC rules on independent ISPs:

1. ISPs developed America's Internet access market and now are forced to watch from the sidelines as broadband grows. Their geographic position in the DSL broadband network placed them at a new disadvantage in comparison to their Bell supplier/competitors.
2. Computer II and III were designed to compensate for inequitable market "geography", yet the FCC has declined to act to enforce these rules for ISPs. Elimination of these regulations blesses and rewards discrimination.
3. The elimination of the rules within Computer II will lead to the elimination of independent ISPs, and negatively affect the nation's economy.

The Development of America's Internet access market:

When America's ISPs opened their doors for business in the mid-1990's it's unlikely that very many of them consulted the FCC's Computer Inquiry to study the possibilities it might afford them. Most simply called their local Bell company and ordered ordinary phone lines in quantity, the same as any other small business. These phone lines were attached to ordinary modems, and then attached to an Internet connection that was more costly than the average consumer was likely to purchase, and the ISP was off and running. As consumers became alert to the possibilities of Internet communication, first for email and file sharing, and later for web browsing and e-commerce, the local ISP was often the only low cost pathway to the Internet. Even as companies such as America Online began to expand their content kingdoms, they still did not often serve the rural areas with a local toll-free phone number, and consequently the independent ISPs gravitated toward these areas where their businesses flourished.

The Bells were late to the dialup access market as well, and by the time they began to offer consumers Internet access around early 1998, the independent ISP had already established significant and loyal market share; thousands of ISPs were serving millions of Americans. There were ways to erode this market share, naturally, and the incumbent carriers in due course availed themselves of them. Slow delivery of additional phone lines caused busy signals for the ISP. Hunt groups that wouldn't hunt had the effect of

halving an ISP's ability to serve its customers by introducing a busy signal at a mystery point in a group of available phone lines. The first speed wars emerged over the 56K modem, and ISPs throughout the country became familiar with reports from their devoted customers that phone company sales representatives were implying or simply telling prospective consumers that 56K speeds would definitely be available on the phone company's lines, but not on their competitors. BellSouth pushed the insinuation the furthest, with an ad campaign that encouraged customers to choose it for Internet access because "we own the lines other people rent".

The advent of Digital Subscriber Line (DSL) service promised an opportunity for the Bells to regain lost ground. A customer's ordinary copper phone line could be transformed so that data and voice were split on the same line, making a second phone line dedicated to Internet use unnecessary. The phone line attached to a piece of DSL equipment at the phone company central office, called a Digital Subscriber Line Access Multiplexer, or DSLAM. The copper lines which feed into a DSLAM within an "ATM cloud" at the phone company central office are then pointed to an Internet service provider who has purchased a high capacity line into the ATM Network within the central office. The Bell ISP affiliate must also provision a high capacity line into this network.

The DSL product presented a conundrum of sorts for the Bells. Increased consumer adoption of DSL would mean not only the loss of second line revenue, but in the case of small business, the loss of even more lucrative frame relay revenue. With T1 lines averaging \$1000 per month, a \$50 monthly DSL account was a pitiful exchange. Not only that, but the consumer might well choose a different ISP than the Bell's own. The first step in controlling the DSL market deployment and adoption meant that the ISPs efforts to market the product had to be contained. The Bells ultimately decided on a two stage strategy.

First, although technically the Bells could not prevent the ISPs from buying access to the network, it could be priced exorbitantly. In every territory but Qwest, the Bells accomplished this by forcing ISPs to purchase not only a high capacity line into the ATM cloud but requiring them to rent the data portion of the line to the customer premise as

well. The ISPs had just entered, without knowing it, the realm of Computer II. Only their unbundled network access prices were not even close to the UNE rates that CLECs were already finding unworkable. The “UNE” rates for ISPs were far, far above retail, for entire phone lines, even with DSLAM port rental charges thrown into the mix.

It was a clever tariff, which concealed its discrimination by establishing volume discounts that only the largest companies could meet, and it was sanctioned by the FCC even though no evidence was submitted to demonstrate that the volume discounts were tied to any cost savings in provisioning. In US West territory the monopoly did not require loop rentals, but moved immediately to stage two – discriminatory provisioning.

Throughout the US West territory, ISPs were informed (inaccurately) that their high capacity lines into the ATM network could only be provisioned by US West, which then either refused to provision them without construction guarantees, or forced ISPs to cobble together a patchwork of smaller capacity lines which would make expansion difficult for the ISP. One ISP in Utah who defied US West’s illegal provisioning instructions and purchased a high capacity line through a CLEC found that its line remained unconnected just long enough for US West to fill up the ports on its DSLAMs with its own customers, forcing the independent ISPs’ customers to a waiting list.

The two stage strategy was remarkably effective. The Utah ISPs challenged it at their state utility commission and IgLou Internet Services of Louisville, Kentucky challenged it at theirs. The Utah commission did not resolve the complaint – it could not, as state deregulation demanded that deployment of a “new service” such as DSL could not simply be halted until anti-competitive abuses were corrected – the product had to be withdrawn completely from the market. In the regulatory timeline, by the time this finding could have been made, DSL was too deeply entrenched in the market to be withdrawn. In Kentucky, the commission recognized that the first stage of the two stage strategy had effectively prevented Kentucky consumers from purchasing DSL, by forcing ISPs to purchase access from a tariff that erased their profit margin at the same time it bore no relation to the market. The KY Commission ordered BellSouth to revise its tariff to Kentucky specific levels. BellSouth defied the Commission and revised the tariff throughout its territory, to different unreasonable level.

In California, ISPs watched as their customers abandoned them for the DSL offered by SBC's PacBell at a price that was less than their wholesale costs. When the customers insisted on obtaining service from an independent ISP they were often told that they were too far away from the central office or served by a central office that had not been upgraded yet, and therefore did not qualify. Days later, these same customers were solicited by PacBell for its own Internet service and magically, immediately qualified. The two stage strategy was in full force here, and most viciously in PacBell territory, as the sales figures would eventually demonstrate. Though the sales figures for DSL in PacBell and Verizon territory were both dismal as an overall percentage of an ISPs customer base, the quantities of DSL customers an ISP might obtain in PacBell territory were always a tiny fraction of what they might obtain in Verizon territory.

The Internet revolution had slowed dramatically. The phenomenal growth and success of dial-up was never duplicated in DSL, and gradually online statistics began to tell the tale. From nowhere, the Bells began to take their places among other well known regional and national online providers, and in DSL market share alone their dominance was fait accompli from the start.

Computer II and III – The Neglected Stepchild

The FCC concluded in Computer II that structural separation was the best way to accomplish a level playing field for a competitive market, when carriers with market power and facilities control were competing with companies trying to gain access to those facilities. If the Bells were going to establish ISPs they would have to establish them separately, and provide access to their facilities on the same rates, terms and conditions. Computer III relieved the Bells of their structural separation obligations, prematurely as it turned out, when the 9th Circuit found that the Commission had not provided adequate explanation for its retreat from unbundling rules. As a compromise, the FCC instructed the Bells to file "Comparably Efficient Interconnection" (CEI) plans that would provide competitors adequate notice of network reconfiguration, in order to make their own plans and fairly compete. In 1999 Computer III was modified to allow these plans to be posted on a website.

No matter whether you examine the Bells compliance with Computer II or Computer III, the record is laden with multilateral ignorance. The Bells have ignored the regulations, and the FCC has ignored the Bells violations, resulting in a cozy regulatory regime where Bell CEOs can boast publicly about their open networks while their virtual lockup receives no scrutiny.

Concern about the inadequacy of a “self-enforcing” regulatory scheme such as Computer III to protect the competitive marketplace, caused the FCC to respond to its critics by promising to investigate abuses brought to its attention by the ISPs.

The ISPs have brought these abuses to the attention of the FCC. The Texas ISPs have brought evidence. The Utah ISPs have brought evidence. The California ISPs have brought evidence. Others we may be unaware of are likely to have brought evidence as well. We have encountered mixed receptions. Some are received politely, some silently, some are told that the Enforcement Bureau has a lot of work to do and will get around to investigating the allegations if it has time, and if the allegations have merit. In all cases the investigations are conducted in total secrecy and the ISPs only window on the process is a public acknowledgement by the FCC of the investigation’s results, IF an investigation takes place. It is a horribly inadequate way of addressing ISP abuses, and to date the requests for investigation which have been brought to the Enforcement Bureau’s attention have ended no differently than they might have if the ISPs had launched their complaints from the roof of the FCC into the Potomac.

The FCC has a consumer division to handle consumer complaints. It has a Rocket Docket and the ordinary full scale litigation process known as a Formal Complaint to handle competitor complaints. It has an informal complaint process which the Bells delight in, as they are free to waste the time of regulators and ISPs alike, because they are under no serious obligation to respond. The FCC has devoted no resources to addressing the abuses brought to it by ISPs who fall somewhere in the middle, despite promises to do so.

The discrimination experienced by ISPs at the hands of the Bells is real. It is not always documentable. But when it is, the ISPs deserve better than to be treated as odd creatures who by an accident of nature developed the Internet economy but now need to step aside

in favor of the large Internet cartels. When the FCC is presented with evidence that a Bell is lying to regulators about its behavior, it should take action, not simply say that “it is very very concerned.”

It is in this light that the ISPs are reading the FCC’s NPRM, and they are astonished and furious. Clearly the Bell insistence that the rules need “clarification” has fallen on receptive ears within the Commission. But as far as the ISPs are concerned, there was never anything particularly difficult to understand about the rules. How, though, could we judge their effectiveness if they were never effectively applied? And how can the FCC seriously contemplate abandoning them when they have never been applied? This rulemaking carries the unmistakable scent of industry influence, and we expected better of the FCC.

As we have seen, the independent ISP has been consigned to a narrowband ghetto through the unchecked discrimination of the Bells. Freed from any regulatory scrutiny whatsoever and no longer obligated to sell access to the DSL portion of the public phone network, does anyone seriously believe that the Bells will continue to sell to ISPs? Especially when selling to ISPs undermines the Bell objective of continued second line and costly frame relay sales? And if the ISP cannot sell broadband on telephone or cable networks, how long will it continue to exist selling only dialup access?

Economic Effects

If the independent ISP disappears, where are consumers to turn for services they can get nowhere else? Service such as static IPs, free internet training, customized server and bandwidth solutions? A human being who answers the phone? What of the other small businesses in our Internet economy who rely on the referrals of small ISPs for additional business? Web designers, programmers? What of the range of software choices promoted by small ISPs for email and file transfer? What of software designed by ISPs themselves – the very innovation that has been the hallmark of their tenure as local fixtures in their communities? How is a community disrupted when hundreds or thousands of residential consumers and businesses are forced to change their email

addresses? We have seen this before – the FCC does not need to be in the business of encouraging it again.

Small to medium sized enterprises, while they may not be the majority of an ISP's customer base, usually provide the majority of an ISP's revenue, and the small to medium ISP is ideally situated to serve these customers. Cable is not a serious option for small to medium businesses. Wiring doesn't exist for cable to serve small businesses, not certainly, the way it does for DSL, and there are security issues that make cable an uninviting prospect for business use. Wireless is sometimes an alternative, but it is also not ubiquitous and has geographic limitations. And satellite, despite its claims is not capable of providing broadband service today and it is the least likely broadband supplier for a small business. As the market has developed over the past several years, DSL is the clear winner for affordable broadband access for small business. We have already seen that the DSL market has been skewed by a combination of discriminatory activity and the heavy hand of market power (see the voicemail market for an interesting comparison). The question facing regulators today is, how, with a market already tilted toward monopoly, would the public interest be served by eliminating the rules designed to foster competition? How has the public interest been served by shifting the burden of proof to the injured party who is hard pressed to muster the resources to obtain justice, and is rebuffed or ignored when it musters what it can?

These are questions that demand the FCC's attention and answers. It is not acceptable to say to America's ISPs, "Thanks for bringing America online, now move aside." The move to "clarify" rules that only one portion of the telecom industry is too obtuse to understand is entirely premature and we strongly oppose it.

A handwritten signature in black ink, appearing to read "S. Ashdown". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Sue Ashdown
Executive Director
American ISP Association

ADDITIONAL ISP & CUSTOMER COMMENTS

-----Original Message-----

From: April Josephson [mailto:april@ariel.net]

Sent: Thursday, May 02, 2002 7:08 PM

To: Sue Ashdown

Subject: Ariel.Net FCC comments

My name is April Josephson and I am President and CEO of Ariel Communications Group, Inc. (Ariel.Net) a small Internet Service Provider in Rancho Santa Margarita, California. Ariel.Net is a company that specializes in providing high-speed Internet access and related services to local businesses. We have been a reseller of ISDN and other services since our inception six years ago. We added DSL to our service offerings as soon as it became available, close to four years ago.

We are an active member of our community, and I am on the board of the local Chamber of Commerce. We have been the ISP for our city government since its incorporation in January of 2000. We also work closely with the local water district, and have a number of private schools as customers.

Ariel.Net has built our business by offering personalized service with customized packages of Internet services to small businesses in the Metropolitan Los Angeles area. We provide many services that our local phone company, SBC/Pacific Bell, does not. We pride ourselves on the fact that our customers can actually speak directly with us on the phone at anytime to resolve any issues that may arise. They have even walked into our office and met us. Some of our best customers call us on our cell phones, and we wouldn't have it any other way. Ariel works closely with networking consultants, who provide mutually beneficial services to our client base.

There are not many large companies that can provide that level of service, especially not SBC. In fact when calling SBC, you may not even talk to someone in the same state. Countless customers have commented on this, and have told me that they will never go to the ILEC for service because of their lack of support.

Our services include Internet access, website design and hosting, email services and network consulting. We cater to those small businesses who are too small to have a full-time IT Manager, and need someone to hold their hand to get through the technology maze called the Internet.

Over 70% of U.S. businesses are small businesses. The vast majority of these companies need help that the ILECs and their affiliated ISPs don't offer. Ariel.Net services are tailored to suit their needs.

In fact, SBC/Pacific Bell and their own ISP affiliate have completely forgotten about these companies in their marketing of DSL. They only have three tiers in their DSL offerings, one for residential users, one for SOHOs and one for larger corporations. Ariel.Net has found that our more flexible packages fill the void left due to their oversight.

I have several concerns with the FCC's lack of attention to this growing market. First, the SBC/ASI FCC Tariff #1 that was implemented without public comment last year has already put independent providers at a disadvantage because at least in my area, the ILEC is the only company we can currently use to provision DSL through. The SBC/ASI pricing does not allow us to compete on a level playing field with SBC's DSL offerings. The ISP has to pay more per customer to SBC/ASI for the DSL circuits than SBC is charging to end users. Thus, if we attempt to compete in the marketplace pricewise, we lose money, and will likely disappear. Eventually consumers will not have options other than the limited packages offered by SBC. The tariff does not foster open competition. In the end, an entire industry of small ISPs and all consumers stand to lose.

Second, if the ILECs are no longer required to share their networks with us, they won't sell to us at all, and that will effectively eliminate competition. There will no longer be independent ISPs, who provide levels and types of services that are in demand. Further, once the competition is gone, the ILEC will be free to raise their prices. Killing this growing industry, and the innovations that we bring with us, will no doubt hurt the already fragile economy.

SBC's corporate position has been that they need to be free to compete with cable. However, once again, this ignores competition within our industry. The independent ISP industry and small businesses are overlooked. Cable is predominantly in residential areas. It is not available to the vast majority of businesses. Wireline services are the only option to most businesses. Removing ILEC requirements which allow for competition to provide these necessary services, which the ILECs do not provide, will put an entire industry of businesses who provide these services out of business, and severely cripple the hundreds of thousands of businesses who use these services.

Third, the ILECs are for the most part still operating as though they are monopolies. They were founded as monopolies, and operated as such for decades. They have built-in layers of bureaucracy and inefficiencies that unnecessarily raise the cost of services, while providing poor quality service. Their anticompetitive/discriminatory behaviors are at the core of their operational methods, and need significant review. It is up to the FCC to force the ILECs to operate in a manner that is more conducive to competition.

By removing regulations from these companies, they will be free to run rampant, and will never be held to any quality of service or reasonable pricing standards. The FCC will in effect be putting them back into their monopoly position without regulation. The last thing the FCC should be doing is to remove restrictions on companies that have control over the wireline infrastructure, and are so inefficient. This will not lead to increased competition. It will remove competition and ultimately harm all consumers.

I firmly believe that it is the duty of the FCC to protect the interests of the U.S. consumers by thoroughly reviewing the operational methods of the ILECs and forcing them to operate more efficiently and cost effectively, as well as in a fair and equitable manner. This will allow for true competition and innovation in the marketplace.

I strongly urge you to seriously evaluate the current operational methods of the ILECs and consider imposing restrictions on them that will lead to increased innovation, improved customer service, reduced prices, and fair competition within the industry, rather than removing restrictions on them now. If the FCC removes existing restrictions, its actions will have the opposite effect of their claimed mandate. It will not encourage growth of broadband, it will stifle it. Please do not put us back into a position where we are dealing with a legally deregulated monopoly. The California energy crisis should have taught us that this does not work.

Sincerely,

April Josephson, Esq.
Ariel Communications Group, Inc.
PO Box 80400
Rancho Santa Margarita, CA 92688-0400
(949) 458-5510
april@ariel.net

-----Original Message-----

From: Janet - InfoRamp [mailto:janet@InfoRamp.com]
Sent: Friday, May 03, 2002 3:50 PM
To: steven DeMar
Cc: sue@americanisps.org
Subject: FCC letter

My name is Janet Rogers and I am the founder and CTO of an Internet Service Provider (ISP) known as InfoRamp, Inc. in Chicago, Illinois. After starting up in 1995, we have grown to about 15,000 subscribers and are one of the larger remaining independent ISPs in this area. We employ about 25 people and our services are sold by about 40 independent business as well.

Most of our subscriber base is in rural areas. In fact, in towns like Ottawa, LaSalle, Peru and Princeton, Illinois InfoRamp was the first, and remains the dominant, Internet provider. Companies like SBC/Ameritech and Verizon had no interest in serving these towns for years after we were there. In fact, today you still cannot get broadband in any part of rural Illinois from Ameritech. You can, however, buy it from InfoRamp in towns served by Competitive Local Exchange Carrier (CLEC) Focal Communications.

Ameritech and Verizon have continually lagged behind the market where innovation and service is involved. In the early years we had trouble tickets almost daily with Ameritech on ordinary analog POTS lines. By switching to a CLEC partner InfoRamp has been able to purchase higher quality, more reliable service, offer it to a wider area and spend less money.

In the broadband arena today, we are besieged by potential customers who are so frustrated with SBC/Ameritech and Verizon that they are looking for any possible outlet. It helps that our company is highly

regarded, but the real truth is that most consumers would go anywhere other than the incumbent who has mistreated them year after year.

A few years ago, the majority of Americans purchased their Internet service from an independent ISP like InfoRamp because they wanted to. The market spoke. Unfortunately, government has not been listening. Over the last few years mergers have been approved and regulatory "relief" proposed that exclusively favors the large, cumbersome telecom firms that most Americans were trying so hard to avoid.

Nowhere is this more true than in the DSL space.

Realistically, the UNEs - the outside wiring that is the "last mile" of the phone network - are the exclusive province of the incumbent telco. To be clear, it is not because it rightfully belongs to them. The 1996 Act recognized that decades of "cost-plus" pricing regimes meant that the PUBLIC was the true builder of the phone network and that the PUBLIC has an interest in forcing the networks open and keeping them that way. No one can really "overbuild" effectively.

The incumbents are the gatekeepers to DSL for CLECs, ISPs and their customers and they have held DSL hostage for years. The incumbent telcos have engaged in every possible variety of anti-competitive tricks, ranging from obstructionist provisioning tactics and a flat-out refusal to allow CLECs access to various facilities to predatory pricing schemes in which they sell service at retail for dramatically less than they will sell it wholesale to ISPs.

In one particularly egregious recent predatory pricing example, SBC/Ameritech offered us retail DSL service (without knowing they were speaking with an ISP) for \$29.95 per month with no real startup or equipment costs during the same period that the best deal they would offer us wholesale was about \$40 per month PLUS \$200 in startup fees.

We are losing customers. They leave with regret. They like us. However, they require faster service. If the only place they can get what they need is the incumbent telco or the cable company they will go there. The free market is not working for them. The tyranny of a Internet duopoly is rapidly becoming the reality for many consumers.

Meanwhile, our business is dying. We do not have the resources to fight the predatory tariffs of SBC/Ameritech. However, it would be even worse to allow incumbents to stop selling access to the network at all or to take away the provisions of the 1996 Act that are intended to prevent companies like SBC/Ameritech from discriminating.

The answer is for the FCC to make a good faith effort to uncover incumbent telco discrimination in both pricing and provisioning and put a stop to it once and for all. Until the FCC has demonstrated that it is willing to do this for ISPs, any talk about listing the rules for monopoly telcos is premature.

I hope you take our comments seriously. We are sending a copy of our comments to our Congressman and Senators as well.

-----Original Message-----

From: Leigh M. Sahiouny [mailto:leighsahiouny@worldnet.att.net]
Sent: Friday, May 03, 2002 9:28 AM
To: sue@aispa.org
Cc: lms@veritasdesignllc.com
Subject: Our FCC letter fyi

Please use me for testimonials! We are irate about Bell South issues and I have documentation.

We sent a letter to FCC from the IGLOU web site. We do not use IGLOU, but we do use a small independent ISP. It took months to develop our ISP relationship. It will be horrible for our business if it is undone. Here is my letter:

My name is Leigh M. Sahiouny, Chief Financial and Operations Officer for Veritas Design, LLC, an architectural and computer-aided design firm in Louisville KY. I am writing to you regarding your reconsideration of the rules that require telephone companies to provide ISPs access to the public switched phone network. Removal of these requirements would be a grave mistake.

I and millions others like me depend on my local Internet Service Provider to give me access to Internet services and options not available from the large telephone carriers. We have found as a small business that our business is better served by working with a smaller Internet Service Provider. We have been horribly disappointed in all of our dealings with Bell South in regard to ISDN, DSL, telephone and Yellow Page service and feel that as a small business needing to succeed in this tough economy that large monopoly companies like Bell South have hampered our business performance rather than enabled us to succeed.

If you choose to remove my ISP's access to the public phone network, it will no longer be able to provide me and others the level of service we have come to enjoy and expect for Internet access. Such action will simply force independent ISPs out of business and will do nothing but LIMIT consumer choice not expand it.

Furthermore, by removing fair interconnection requirements and reducing our choice, you will likely also allow consumer rates to rise. By having a current choice among several providers, I am not only allowed to find the best services to suit the needs of our business, but also for best price so that our firm can actually afford to do business in Louisville KY and maintain current employment levels.

I sincerely hope that you think very carefully what you are considering. Consumers and SMALL BUSINESSES all across America are depending on you to make the right decision. The right decision is to maintain and grow the level of competition in the Internet marketplace. That goal is best met by protecting and nurturing competitive market conditions for the thousands of independent ISPs - not by handing even more market power to the monopolies who control our phone network.

Commissioners, I implore you to continue to protect the ISPs' access to the public telephone networks, thereby protecting the rights of millions of consumers like us.

Please call me if you have further questions

Leigh M. Sahiouny, CFO
Veritas Design, LLC
536 Eastern Parkway
Louisville KY 40217
502 636-0266

> -----Original Message-----
> From: Sharon Lankford [mailto:sharonl@iglou.com]
> Sent: Tuesday, April 30, 2002 4:12 PM
> To: sue@americanisps.org
> Subject: Indepent ISP Provider
>
>
> Hi...
>
> I want to let you know how much I value getting Internet access from
my
> independent Internet service provider (Iglou) . I consider it
extremely
> important to me to have the choice to purchase broadband DSL from an
> independent ISP. I do NOT think that federal regulations should
> be set up
> to prevent IgLou and other
> independent ISPs from being able to deploy DSL and broadband
> Internet access.
>
> Sharon Lankford

-----Original Message-----
From: Murry [mailto:mharal@iglou.com]
Sent: Wednesday, May 01, 2002 4:30 AM
To: sue@aispa.org
Subject: Regulation

We need less regulation and more work Big business does not need to control everything Look at what happen to bell south all we get is more confusion I am very happy with the independent provider and do not want one of big corporation to trey and control my life. We are a small business and we give service. I have tried the other services and all I received was poor service and voice mail to leave a message. Leave the small companies alone. Murry Harral President Murry's Heating and Air Conditioning Service Inc.

-----Original Message-----
From: Chris Fajardo [mailto:Chris@Fajardo.org]

Sent: Wednesday, May 01, 2002 8:27 AM

To: sue@americanisps.org

Subject: Internet access from independent Internet service providers.

Madame,

Getting Internet access from an independent Internet service providers is essential for maintaining our freedom in this country. Choice to purchase broadband DSL or an independent ISP from anyone I choose is enhanced by the number of providers I have available for that choice. Please do not limit in any way my choice.

By the grace of God
Chris

Chris Fajardo
9905 Blue Lick Rd.
Louisville, KY 40229

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* <http://www.Fajardo.org> * Chris@Fajardo.org